

Patent  
Our Docket: 5026C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Li et al.

) Art Unit: 1633

)

)

Serial No.: 10/632,302

) Examiner: Robert M. Kelly

)

Filed: August 1, 2003

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For: Genetic modification of the lung as  
portal for gene delivery

)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

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January 30, 2006  
Date

Talya W. Halek  
Signature of person mailing correspondence

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. § 1.56, the references listed on the attached Form PTO-1449 are  
being brought to the attention of the Examiner for consideration in connection with the examination of the  
above-identified patent application.

**I. Timing of the Information Disclosure Statement:**

This Information Disclosure Statement is filed:

Before the mailing date of a first Office Action on the merits. In the event, however, that an Office Action has crossed in the mail with this information Disclosure Statement, the Commissioner is hereby authorized to charge Deposit Account No. 07-1074 for any fees required pursuant to 37 C.F.R. §§ 1.17(p) or 1.17(i)(1).

**II. Copies of the Cited Items:**

Copies of all of the items listed on the attached Form PTO-1449 are enclosed.

**III. Concise Explanation of Relevance:**

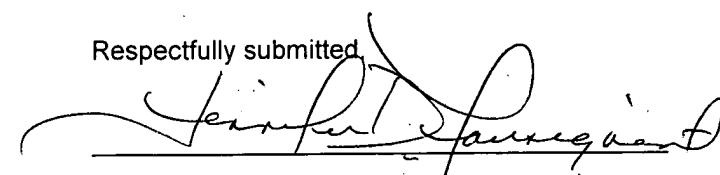
Citation of the above documents shall not be construed as:

1. an admission that the documents are necessarily prior art with respect to the instant invention;
2. a representation that a search has been made, other than as described above; or
3. an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached form PTO 1449 with initials or other appropriate marks. The Commissioner is hereby authorized to charge Deposit Account No. **07-1074** for any additional fees required in connection with the filing of this Information Disclosure Statement.

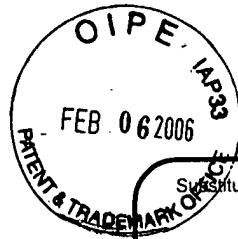
1/30/06  
Date

Respectfully submitted



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Substitute for form 1449A/PTO

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

*(Use as many sheets as necessary)*

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1 of 2

<i>Complete if Known</i>	
<i>Application Number</i>	10/632,302
<i>Filing Date</i>	August 1, 2003
<i>First Named Inventor</i>	Li, Chester
<i>Art Unit</i>	1633
<i>Examiner Name</i>	Robert M. Kelly
<i>Attorney Docket Number</i>	5026CON

## U.S. PATENT DOCUMENTS

## FOREIGN PATENT DOCUMENTS

Examiner Signature		Date Considered	
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**\*EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.4. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete.

Substitute for form 1449B/PTO		<b>Complete if Known</b>			
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>		Application Number		10/632,302	
		Filing Date		August 1, 2003	
		First Named Inventor		Li, Chester	
		Art Unit		1633	
		Examiner Name		Robert M. Kelly	
Sheet	2	of	2	Attorney Docket Number	5026CON

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T <sup>2</sup>
	11	ARMENTANO, D. et al., "Effect of the E4 Region on the Persistence of Transgene Expression from Adenovirus Vectors", Journal of Virology, March 1997, 71(3):2408-2416		
	12	McDONALD, R.J. et al., "Safety of Airway Gene Transfer with Ad2/CFTR2:Aerosol Administration in the Nonhuman Primate", Human Gene Therapy, March 1, 1997, 8:411-422		
	13	KAPLAN, J.M. et al., "Potentiation of Gene Transfer to the Mouse Lung by Complexes of Adenovirus Vector and Polycations Improves Therapeutic Potential", Human Gene Therapy, July 1, 1998, 9:1469-1479		
	14	ZIEGLER, R.J. et al., "Correction of Enzymatic and Lysosomal Storage Defects in Fabry Mice by Adenovirus-Mediated Gene Transfer", Human Gene Therapy, July 1, 1999, 10:1667-1682		
	15	POENARU, Livia, "Particularities of lysosomal storage diseases gene therapy", Gene Therapy, 1996, 3:1039-1041		
	16	BEERS, M.H. and BERKOW, R., The Merck Manual of Diagnosis and Therapy, 17 <sup>th</sup> Edition, 1999, pp. 214-215, 2338 and 2408		

Examiner Signature	Date Considered
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